



City of Seattle

Office of the Mayor
City of Seattle
Jenny A. Durkan, Mayor

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CITY CLERK

Executive Order 2019-06: Economic Inclusion and Contracting Equity

An Executive Order affirming my commitment, as Mayor of the City of Seattle, to advance the City's mission for Economic Inclusion & Equity in Contracting.

WHEREAS, the City of Seattle is committed to the Women and/or Minority Owned Business Enterprise (WMBE) that is inclusive of certified and self-identified women and/or minority owned businesses; and

WHEREAS, it is the City of Seattle's goal to achieve and maintain parity in the City's contracting practices to create a state of equitable distribution for those firms that have been historically underutilized and implement tools, policies and programs; and

WHEREAS, Executive Order 2017-13 affirms the City of Seattle's commitment to this work as a Race and Social Justice Initiative focus area, and the City seeks to have "Contracting Equity" across all firms and make sure all firms have the tools, programs, and information they need, and do not face any undue barriers to fully participate in contracting with the City; and

WHEREAS, the "Equality in Contracting" Ordinance 121717, as codified under the Seattle Municipal Code Chapter 20.42, renewed the City's commitment to the WMBE program, and the City has an opportunity to strengthen our policies, tools, programs, and remedies to eliminate discrimination and achieve "Contracting Equity"; and

WHEREAS, it is a priority of the City of Seattle to advance "Economic Inclusion" which is a state in which diverse people and their businesses have the opportunity to fully participate in our local economy without barriers. The City shall undertake efforts and strategies to promote full participation of all firms, including WMBE and those that have been historically underutilized, in our programs and policies, in order to reach a state of "Economic Inclusion." It is vital to the efficacy of Economic Inclusion and Contracting Equity that WMBE and underutilized firms are supported through capacity building efforts; and

WHEREAS, in order to achieve a state of Contracting Equity and Economic Inclusion, the City will engage opportunities to better understand the barriers that may exist for LGBTQ+, Veteran, and business owners with disabilities; and

WHEREAS, the Washington State Diversity, Equity & Inclusion Act (Initiative 1000), an initiative of the people that was passed by the Washington State Legislature, has the stated intent to guarantee every resident of Washington State equal opportunity and access to public education, public employment, and public contracting without discrimination based on their race, sex, color, ethnicity, national origin, age, sexual orientation, the presence of any sensory, mental, or physical disability, or honorably discharged

veteran or military status by restoring affirmative action into state law through amendments to state law, including RCW 49.60.400 and 43.43.015; and

WHEREAS, the it is the interest of the City of Seattle to inform its procedures, policy and training efforts for the advancement of contracting equity.

NOW, THEREFORE, I, Jenny A. Durkan, Mayor of Seattle, hereby order:

Section 1. Contracting Equity Administration

- A. To affirm the City's commitment to achieve and maintain parity in contracting with women and minority owned businesses and underutilized firms, the City shall commission a disparity study to inform a contracting equity policy including but not limited to data tracking provisions such as self-identification and certification, consistency and effectiveness of procurement practices in departments, technical assistance efforts to include viability of mentorship program. As part of the disparity study, the City shall analyze and recommend policy changes and act upon the presence of any barriers.
- B. The Department of Finance and Administrative Services (FAS) shall issue a competitive solicitation for annual funds to select a firm or organization to engage with the City to provide technical assistance support services for businesses interested in contracting with the City, including women and minority owned businesses and underutilized firms.
- C. The City of Seattle shall be inclusive of immigrant- or refugee-owned or emerging businesses by fostering participation in City contracting opportunities through language-appropriate outreach. Building on Executive Order 2017-10, the City shall convene a workgroup consisting of the Office of Immigrant and Refugee Affairs (OIRA), Department of Neighborhoods (DON), Office of Emergency Management (OEM), FAS and other departments as appropriate, to develop a strategic and operational plan by the end of 2019 to improve utilization of community liaisons, interpreters and translators in contracting equity efforts.
- D. The City shall continue and expand outreach to women and minority owned businesses and underutilized firms. Executive departments shall:
 - 1. Submit annual contracting equity outreach plans to the Mayor's Office and FAS, to be approved by the Mayor's Office.
 - 2. Attend contracting equity outreach events, to include community organization events and meetings.
 - 3. Distribute anticipated project procurement opportunity information.
 - 4. Provide assistance to women and minority owned businesses and underutilized firms in navigating City and departmental processes and ensure equitable access to project management and buying staff, as well project information and opportunities.
- E. The Mayor's Office will convene a Mayoral Women and Minority Owned Businesses Advisory Committee to provide guidance and feedback on the City of Seattle contracting equity initiatives. The Advisory Committee will be composed of local women and minority owned businesses and other underutilized firms, including but not limited to, LGBTQ+, immigrant, refugee, emerging, small and disadvantaged businesses.

- F. Building on Executive Order 2017-01, the City shall convene a workgroup consisting of FAS, the Office of Economic Development (OED), and other departments as appropriate to develop a strategic and operational plan to ensure the City maximizes opportunities for applying appropriate contracting equity requirements for agreements with private parties. The workgroup shall include stakeholder engagement with women and minority owned businesses, underutilized firms, labor unions and those communities impacted by agreements with private entities.

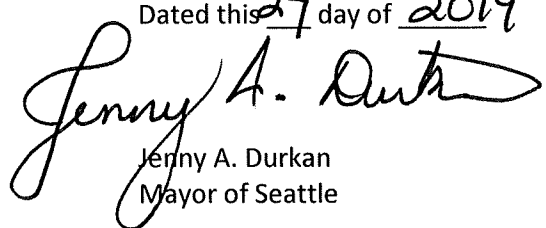
Section 2. Contracting Equity Data and Compliance

- A. A key component for contracting equity success entails closing the information gap experienced by women and minority owned businesses and underutilized firms. To ensure that businesses are receiving equitable access to information, departments shall conduct targeted outreach and provide online project information, to include anticipated procurement opportunities, timelines and specific staff contact information.
- B. Departments shall monitor their consultant commitments and promote good faith efforts to include women and minority owned businesses and underutilized firms in both prime and subconsultant roles. This shall include using existing B2GNow software to monitor subconsultant utilization on City consultant contracts.
- C. Expanding the City's Prompt Payment policy, the City shall establish citywide aspirational goals and strengthen compliance measures to ensure all consultants engaged in City contracts are being paid promptly. As a preliminary step in this effort, the Mayor has set a citywide prompt payment aspirational goal of 95% discontinuing varying prompt payment aspirational goals within departments.

Section 3. Contracting Equity Accountability and Reporting

- A. Contracting equity performance indicators shall be included in department director performance agreements. Metrics include, but are not limited to, departmental WMBE utilization in purchasing and consulting procurements as well as prompt payment performance.
- B. Beginning in 2020 and in coordination with other city departments and offices, FAS shall produce a citywide annual report by the end of the second quarter that will illustrate the prior year's progress and performance on contracting equity and economic inclusion initiatives. The City shall explore ways to share WMBE contracting performance information online.

Inquiries by City departments and offices regarding this Executive Order should be directed to Edson I. Zavala, Policy Advisor on Economic Inclusion & Contracting Equity, Office of the Mayor.

Dated this 24 day of 2019

Jenny A. Durkan
Mayor of Seattle